

Memorandum

To : All Commissioners

Date : February 20, 1974

Executive Director

From : **Commission on Peace Officer Standards and Training**

Subject: COMMISSION MEETING
Wednesday, February 20, 1974
10 a.m., Camellia Room "A"
Host Airport Hotel
Sacramento Metropolitan Airport

AGENDA

1. Call to Order
2. Introduction of New Commissioners
3. Election and Appointments
 - a. Vice-Chairman
 - b. Committees:
 - Course Certification Committee
 - Legislative Committee
 - STAR Representatives
4. Proposed Regulation Changes and
POST Administrative Manual Directives
- Lunch -
5. Public Safety Planning Council Presentation --
Proposed Commission on Criminal Justice Standards
6. Legislation Pending and Proposed
7. Next Meeting: April 25-26, Carmel
8. Adjournment
9. Briefing of New Commissioners


GENE S. MUEHLEISEN

State of California
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

February 20, 1974
Sacramento Metropolitan Airport

The meeting was called to order at 10 a.m. by Chairman Grogan.
A quorum was present.

Present:

ROBERT F. GROGAN	- Chairman
WESLEY R. BARRETT	- Commissioner
FLOYD O. BARTON	- Commissioner
JACK G. COLLINS	- Commissioner
LOREN W. ENOCH	- Commissioner
DAN KELSAY	- Commissioner
EDWIN R. McCAULEY	- Commissioner
DONALD F. McINTYRE	- Commissioner
ROBERT S. SEARES	- Commissioner

BEN CLARK and LYELL CASH, former Commissioners serving as resource persons.

Absent:

ERIC E. YOUNGER	- Representative of the Attorney General
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Also Present:

ROBERT CRESS	- Advisory Committee Member and P. O. R. A. C. Representative
GENE S. MUEHLEISEN	- Executive Director
RONALD T. ALLEN	- Special Assistant, Executive Office
CARL R. BALL	- Director, Police Standards
BRADLEY W. KOCH	- Director, Technical Services
JEWELL L. ROSS	- Assistant to Executive Director
EDWARD M. TOOTHMAN	- Director, Administration
GERALD E. TOWNSEND	- Director, Education and Training
GEORGE W. WILLIAMS	- Bureau Chief, Education and Training
LOIS WILLMAN	- Secretary, Technical Services
IMOGENE KAUFFMAN	- Recording Secretary

Visitors:

Gordon Bissegger	- Office of the Legislative Analyst
Herbert E. Ellingwood	- Legal Affairs Secretary, Governor's Office

INTRODUCTION OF NEW COMMISSIONERS

Due to the termination of appointments of Commissioners John Fabbri, Ben Clark and Lyell Cash, three newly appointed Commissioners were present:

Wesley R. Barrett, Chief of Police
Oroville Police Department

Floyd O. Barton, Sheriff
Inyo County

Donald F. Mc Intyre, City Manager
City of Pasadena

The Executive Director gave a brief background on each Commissioner and welcomed them to the Commission.

ELECTION AND APPOINTMENTS

The changes on the Commission necessitated the appointment of a vice-chairman to replace the incumbent, Ben Clark.

MOTION by Commissioner Seares, seconded by Commissioner McCauley, motion carried that Commissioner Dan Kelsay be appointed as Vice-Chairman for the remainder of 1974.

Replacements of the POST Commission Committees were also necessary. The Chairman announced the following appointments:

Course Certification Committee

Robert Seares - Chairman
Don McIntyre - Member
Floyd Barton - Member
Ed McCauley, Alternate #1
Eric Younger, Alternate #2

Administrative Counseling Advisory Committee

Floyd Barton - Chairman
Don McIntyre - Member
Robert Seares - Member
Ed McCauley - Member

Legislative Committee

Robert Grogan - Chairman
Wes Barrett - Member
Loren Enoch - Member

Budget Screening Committee

Loren Enoch - Chairman
Jack Collins - Member
Dan Kelsay - Member
Robert Grogan - Member

Alternates shall normally be of the same professional category as the committee member for whom he is serving.

S. T. A. R. Representatives

MOTION by Commissioner Enoch, seconded Commissioner Collins, motion carried that former Commissioners Ben Clark and John Fabbri continue to serve as Chairman and Vice-Chairman, respectively, of the Project S. T. A. R. National Advisory Council.

PROPOSED REGULATION CHANGES AND POST ADMINISTRATIVE MANUAL GUIDELINES AND PROCEDURES

The Executive Director briefed the Commissioners on Administrative Code procedures for hearings required to change administrative regulations. The schedule follows:

February 20	Commission approval of initial draft of proposed changes in the POST Regulations and the conversion of Regulation Specifications to the POST Administrative Manual of Procedures.
April 15	Notice of Public Hearings mailed to all interested parties.
April 25-26	Commission Meeting, agenda will include a review of any additional changes in the Proposed Regulation changes.
May 15	A public hearing at the Sheraton Harbor Island Hotel, San Diego, in conjunction with the CPOA Annual Conference. Commission meeting to follow for review of testimony and adoption of proposed regulation changes.

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|--------|---|
| June 1 | Filing of adopted POST Administrative Regulations with the Codification Officer, Office of Administrative Hearings. |
| July 1 | Effective date of adopted revised Regulations. |

The Executive Director reviewed, by section, the suggested changes presented by staff.

Following is the individual action taken by the Commission on various sections of the Regulations. The result of this action is set forth as an attachment and will be forwarded to the POST master distribution list of approximately 1,400 persons prior to the May 15 hearing.

1. MOTION by Commissioner Collins, seconded Seares, motion carried that Section 1001 (b) be changed to read:

"Department Head" is the chief of police, sheriff or chief executive of a law enforcement agency.
2. MOTION by Commissioner Enoch, seconded Kelsay, motion carried (7 ayes, 2 nays - McIntyre and Grogan) that Section 1001 (f)-(e) be changed to read:

"First-Level Supervisory Position" is a position occupied by a police officer or deputy sheriff, most commonly holding the rank of sergeant, who in the upward chain of command directly supervises employees, and for which commensurate pay is authorized.
3. By consensus of the Commission, Section 1001 (k) read:

"POST Administrative Manual (PAM)" is a document containing Commission procedures and guidelines which implement the Regulations.
4. MOTION by Commissioner Seares, seconded McCauley, motion carried that Section 1001 (n) and (o) be combined to read:

"Lateral Entry" refers to the appointment of an officer whose employment is based upon special qualifications and/or experience in the law enforcement field.

5. MOTION by Commissioner Collins, seconded - Enoch, motion carried (nay - Barrett), to remove Section 1002 (a) (1) from the Regulations, which states:

(a) Every officer employed by a department shall:

(1) Be a citizen of the United States.

6. MOTION by Commissioner Enoch, seconded Collins , motion carried (nay - McIntyre), that Section 1002 (a) (5) and (8) shall not be changed at this time (Minimum Standards for Employment for (5) high school or GED requirement, or (8) requirement to acquire 6 college units within 24 months of hire).

(A major consideration voiced was that the educational requirements should not be changed until the State Personnel Board Validation Study now being conducted is completed.)

7. MOTION by Commissioner Barrett, seconded - Kelsay, motion defeated that the "grandfather" sentence be stricken from the proposed changes. ("This section does not apply to any person who was a regular full-time officer, as defined in Section 1001(f), prior to July 1, 1974!")

8. MOTION by Commissioner Kelsay, seconded - McIntyre, motion carried (Nays: Collins, Grogan and Enoch) to leave the newly worded Section 1003, Notice of Officer Appointment, in the proposed Regulation changes.

9. MOTION by Commissioner Seares, seconded - Collins, motion carried that the suggested 18-month requirement for completion, following promotion, of Supervisory and Middle Management Courses be modified to 12 months in the proposed changes in Section 1005 (b) (1) and (c) (1).

10. It was the consensus of the Commission that the phrase, "unless waived by the Commission" should be added to proposed Section 1005 (c) (2).

11. MOTION by Commissioner Barrett, seconded - McIntyre, motion defeated (Nays: Collins Ayes: Barrett)
- | | |
|----------|----------|
| Enoch | Barton |
| Grogan | McIntyre |
| Kelsay | Seares |
| McCauley | |

for adoption of the proposed wording in Section 1005 (e) (1) which stated, "After July 1, 1974, each and every person

appointed as a department head shall have satisfactorily completed the certified Executive Development Course before or within 18 months after his initial appointment or election to such position."

It was the consensus the proposed change should state:

"The Executive Development Course is designed for department heads. Officers occupying middle management positions or above may attend and their jurisdictions may be reimbursed provided the officers have satisfactorily completed the certified Middle Management Course. The Executive Development Course is optional."

12. It was the consensus of the Commission that the proposed wording of Section 1011 (b) should read:

Certificates and awards remain the property of the Commission and the Commission shall have the power to cancel or recall any certificate or award issued in error, through fraudulent application, when the recipient is convicted of a felony, or other due cause as determined by the Commission.

13. MOTION by Commissioner Collins, seconded - Enoch, motion carried to authorize staff to move forward with the POST Procedures concept, which would eliminate all Specifications by incorporating them into the POST Administrative Manual.

All Sections of the POST Procedures were acceptable to the Commission with one exception:

14. MOTION by Commissioner Seares, seconded - Collins, motion carried to add to POST Procedure 5-1.9 (d) Reimbursements, a PLAN C which would include meals and lodging only.

PUBLIC SAFETY PLANNING COUNCIL PRESENTATION

Proposed Commission on Criminal Justice Standards

Herb Ellingwood appeared before the Commission, as the Governor's Office representative for the newly instituted Public Safety Planning Council, to present an issue of concern. He reported, in brief, on the Council, which will be composed of all directors of all departments in the State of California that deal with criminal justice as well as the agency secretaries who have supervision of those departments. The

Executive Director of POST was also appointed to the 27-member council.

Mr. Ellingwood stated, in part, that because the California Commission on Peace Officer Standards and Training had become the model for the Nation as far as standards and training for peace officers, and because of the good job POST has done, and the needs for standards and training in other areas, various groups of people had been demanding training for their departments. The Department of Corrections has been the most vocal and most in need of training. A bill came down last year, authored by Senator Nejedly, that would have established a Commission on Correctional Standards. Seeking a solution for Correctional training needs, the following proposal was presented for Commission consideration:

- a. Promote legislation to mandate Corrections standards and training.
- b. The Commission on Peace Officer Standards and Training be given the responsibility to develop and implement these Corrections standards and training.
- c. The Commission on POST be augmented as follows: one Chief Probation Officer to be appointed by the Governor; the Director of Corrections, and the Director of Youth Authority.

A mixture of 1 to 1 was also discussed, i. e., one probation officer and one state director. Commissioners Grogan and Collins stated that would be their preference. Commissioner Clark suggested a representation of one probation officer, one state director and one superior court judge. Commissioner McCauley supported this suggestion. The Executive Director suggested drafting the legislation to read, "the Director of Youth Authority or Corrections."

- d. Request a budget augmentation for POST (amount to be determined) to cover costs of additional staff and Commissioners' expenses. One of the most important items to be included in the bill would be language to assure that monies from the Peace Officer Training Fund not be diverted to Corrections training.

At the conclusion of the presentation, Mr. Ellingwood invited questions. During the question and answer period, Mr. Ellingwood re-assured the Commissioners there would be no utilization of POST funds in the

program and stated that allocations were planned as follows:

Additional Commissioners' expenses	\$ 1,000
Additional administrative costs (including staff)	100,000

Reimbursement for the trainees will come from the General Fund.

An official position of the Commission was not required at this time. The Executive Director and Mr. Ellingwood requested that if any member of the Commission had further questions or strong objections, that they be contacted.

LEGISLATION PENDING AND PROPOSED

Proposed PORAC legislation regarding licensing of police officers.

POST consultant, Rick Baratta, who is the POST liaison with PORAC, and Bob Cress, PORAC representative and member of the POST Advisory Committee, presented a briefing on the proposed legislation which will deal with the concept of police licensing. Highlights were:

1. All classes of peace officers in P.C. 830 will be considered for licensing to afford control of who is to be a peace officer by way of licensing through testing procedures.
2. There is to be established a separate autonomous hearing board that will investigate complaints and revoke licenses.

During discussion, Commissioner Seares stated he felt this was a noble idea but not of priority nature. He requested that the proposal be presented to the POST Advisory Committee for study and then brought before the Commission for action. The POST certification program is a form of licensing, and with the adoption of the proposed regulation changes, there will be better defined authority for revocation of certificates. Commissioner Collins voiced approval of this opinion, as did Commissioner Enoch, who stated he was well aware that law enforcement representatives are interested in the licensing concept, and it deserved to be explored. If staff has limited involvement so that staff time would be held at a minimum, the concept should be developed and presented to the Advisory Committee for study.

This comprised the consensus of the Commission.

Mr. Cress informed the Commission that Senator Schrade had routed a proposed bill which would add two members to the POST Commission, each being peace officers with at least five years experience and of a rank no higher than sergeant.

Commissioner Enoch requested that legislation be discussed and action considered only after it has been introduced.

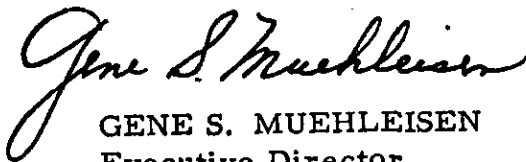
DATE AND PLACE OF NEXT MEETING

Commissioner McCauley extended an invitation for the next Commission meeting on April 25-26 to be held in Monterey County; the exact location will be announced at a later date. (Since confirmed at the La Playa Hotel in Carmel.)

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:30 p.m.

Respectfully submitted,


GENE S. MUEHLEISEN
Executive Director

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

7100 BOWLING DRIVE, SUITE 250
SACRAMENTO 95823

July 1, 1974

REGULATIONS

The Regulations of the Commission on Peace Officer Standards and Training are established and adopted in compliance with Sections 13506 and 13510 of the Penal Code of California.

The Regulations have been codified in Title 11, Chapter 2 of the Administrative Code of California, originally effective October 23, 1960, and revised effective ~~October 1, 1972~~ July 1, 1974.

1000. OBJECTIVES

The objectives of the Commission on Peace Officer Standards and Training are:

- (1) To raise the level of competence of local law enforcement officers:
 - (a) By establishing minimum standards relating to physical, mental, and moral fitness which shall govern the selection of city police officers and peace officer members of county sheriffs' departments, and
 - (b) By establishing minimum standards for training such officers.
- (2) To provide such services to local law enforcement as are authorized by law.

1001. DEFINITIONS

- ~~(n)~~ (a) "Accredited College" is a community college, college or university accredited as such by:

~~For the purpose of awarding education and training credit acquired in educational institutions, the Commission shall recognize only those units awarded in a course from a junior college, college or university accredited as such by:~~

1001. DEFINITIONS (Continued)

- (1) The Department of Education of the state in which the ~~junior~~ community college, college or university is located, OR
 - (2) The recognized national accrediting body, OR
 - (3) The state university in the state in which the ~~junior~~ community college, college or university is located, OR
 - ~~(4)---The-Commission-~~
-
- ~~(k)~~ (b) "The Act" refers to Part 4, Title 4 of the Penal Code of California, commencing at Section 13500 and entitled, "Standards and Training of Local Law Enforcement Officers."
 - ~~(a)~~ (c) "Assistant Department Head" is an officer occupying the first position(s) subordinate to a department head, and for which commensurate pay is authorized.
 - ~~(e)~~ (d) "Certified Course" is a ~~formalized~~ *formal* program of instruction approved by the Commission. ~~Criteria-for approval-include-a-demonstrated-need,-and-compliance with-minimum-standards-for-curriculum,-instructors, facilities-and-instructional-quality,---Categories of-certified-courses-for-which-reimbursement-may-be paid-are-prescribed-in-Section-1005-of-these-Regulations-~~
 - ~~(a)~~ (e) "Commission" is the Commission on Peace Officer Standards and Training.
 - (f) "*Commuter Trainee*" is one who attends a training course and commutes each day to and from the course site.
 - ~~(h)~~ (g) "Department" is a *city* police department, ~~or~~ a *county* sheriff's department, a *regional park district*, a *district authorized by statute to maintain a police department or the California Highway Patrol*.
 - ~~(e)~~ (h) "Department Head" is a *the* chief of police, ~~or~~ a sheriff, *or executive of a law enforcement agency*.
 - ~~(b)~~ "~~Executive-Officer~~"--~~is-the-Executive-Secretary-of-the Commission-~~

1001. DEFINITIONS (Continued)

- (f) (i) "First-Level Supervisory Position" is a position occupied by a ~~an~~ police officer ~~or~~ deputy-sheriff ~~which, who~~, in the upward chain of command, directly supervises employees of ~~police-or-sheriff-depart-~~ ~~ments~~ law enforcement agencies and most commonly is the rank of sergeant, and for which commensurate pay is authorized.
- (j) "High School" is a school accredited as a high school by the Department of Education of the state in which the high school is located, or a school accredited as a high school by the recognized regional accrediting body, or a school accredited as a high school by the state university of the state in which the high school is located.
- (p) (k) "Lateral Entry" ~~or-Transfer~~ *refers to the appointment of an officer whose employment is based upon special qualifications and/or experience in the law enforcement field.*

~~For purposes of these Regulations-(Section-1003-(a))-~~

~~Lateral-entry-refers-to-employment-as-an-officer-based upon-special-qualifications-but-without-prior-law-enforcement-experience.~~

~~Lateral-transfer-refers-to-the-appointment-of-an-officer whose-employment-is-based-upon-special-qualifications and-experience-within-the-law-enforcement-field.~~

~~Lateral-entrance-requires-notification-from-the-hiring agency-as-outlined-in-Section-1003-(a)-of-the-Regulations.~~

- (e) (l) "Middle Management Positions" are those positions with supervisory and/or command responsibilities which are between first-level supervisory positions and assistant department head positions as defined in this section, and for which commensurate pay is authorized.

- (q) (m) "Non-Sworn Personnel Performing Police Tasks." Non-sworn personnel performing police tasks are those full-time, non-peace officer members of participating jurisdictions for whom reimbursement may be claimed, based upon actual job assignment, as determined and approved by the Commission. ~~Participation-requirements-are defined-in-Section-1014-of-the-Regulations.~~

1001. DEFINITIONS (Continued)

- (g) (n) "Officer" is a peace officer member of a city police department, county sheriff's office department, a regional park district, a district authorized by statute to maintain a police department, or the California Highway Patrol.
- (o) "POST Administrative Manual (PAM)" is a document containing Commission Procedures and Guidelines which implement the Regulations.
- (i) (p) "Reimbursement" is the money allocated from the Peace Officer Training Fund, as provided in Section 13523 of the Act.
- (q) "Reimbursement Plan" consists of a combination of expenditures showing the percentage of the amount for which reimbursement is made for each expenditure within the provisions established by the Commission.
- (r) "Resident Trainee" is one who attends a training course and obtains lodging and meals at or near the course site for one or more nights.
- (i) ~~"School" is any school, college, university, academy or local training program which offers law enforcement training and includes within its meaning the combination of course curriculum, instructors, and facilities.~~
- (s) "Specialized Law Enforcement Agency" is:
- (1) a segment of an agency which has policing or law enforcement authority imposed by law and whose employees are peace officers as defined by law;
 - (2) a government agency engaged in the enforcement of regulations or laws limited in scope or nature; OR;
 - (3) a government agency that engages in investigative or other limited law enforcement activities in the enforcement of criminal law; AND
 - (4) which is authorized by the Commission to participate in the Specialized Law Enforcement Certification Program.

1001. DEFINITIONS (Continued)

- (t) *"Specialized Peace Officer" is a peace officer member of a specialized law enforcement agency authorized by the Commission to participate in the Specialized Law Enforcement Certification Program.*
- ~~(m) "Specification"--is-a-description-of-a-requirement supplementing-a-section-of-the-Regulations.~~
- (u) *"Trainee" is an employee of a law enforcement agency who attends a POST-certified course.*

1002. MINIMUM STANDARDS FOR EMPLOYMENT

- (a) Every officer employed by a department shall:
 - ~~(1)---Be-a-citizen-of-the-United-States.~~
 - ~~(2)~~ (1) Be fingerprinted and a search made of local, state, and national fingerprint files to disclose any criminal record.
 - ~~(3)~~ (2) Not have been convicted by any state, ~~or by the federal government, or by a foreign government~~ of a crime, the punishment for which could have been imprisonment in a federal penitentiary or state prison.
 - ~~(4)~~ (3) Be of good moral character as determined by a thorough background investigation as prescribed in the ~~Specification-1-entitled; PAM, Section _____,~~ "The Personal History Investigation."
 - ~~(5)~~ (4) Be a high school graduate or have passed the General Education Development test with an overall score of not less than 45, and a standard score of not less than 35 on any section of the test, as established by the American Council on Education, or have attained a score on a written test of mental ability approved by the Commission and equivalent to that attained by the average high school graduate.
 - ~~(6)~~ (5) Be examined by a licensed physician and ~~surgeon-and~~ must meet the requirements prescribed in ~~Specification-2-entitled,~~ PAM, Section _____, "Physical Examination."

1002. MINIMUM STANDARDS FOR EMPLOYMENT (Continued)

- (7) (6) Be interviewed personally prior to employment by the department head or his representative(s), ~~or-representatives,~~ to determine his suitability for the police service including such things as the recruit's appearance, personality, *maturity*, temperament, background and ability to communicate.
- (8) (7) At the date of hire or within 24 months have been awarded by an accredited college *and/or university* no less than 6 college *and/or university* semester units or 9 quarter units *as authorized by the Commission.*
- (b) It is emphasized that these are minimum entrance standards. Higher standards are recommended whenever the availability of qualified applicants meets the demand.
- (c) *All requirements of Section 1002 of the Regulations shall apply in each and every case of lateral entry, as defined in Section 1001 (k), regardless of the rank to which the person is appointed, unless waived by the Commission. This section does not apply to any person who was a regular, full-time officer, as defined in Section 1001 (n), prior to July 1, 1974.*

1003: ~~MINIMUM STANDARDS FOR LATERAL ENTRY OR TRANSFER~~

- ~~(a) Whenever an officer of any rank enters a department by lateral entry or transfer, the department shall forward to the Commission within 30 days from the date of his appointment, a notice of lateral entrance on a form provided by the Commission.~~
- ~~(b) All requirements of Section 1002 of the Regulations shall apply in each and every case of lateral entry or transfer, as defined in Section 1001 (p), regardless of the rank to which the subject is appointed, unless waived by the Commission.~~

1003. NOTICE OF PEACE OFFICER APPOINTMENT

Whenever a peace officer is newly appointed, or enters a department laterally, the department shall notify the Commission within 30 days of the appointment on a form provided by the Commission.

1004. PROBATIONARY PERIOD

- (a) Every officer employed by a department shall satisfactorily complete a probationary period of not less than 12 months. This requirement shall apply also to officers who enter a department laterally.
- (b) Every officer who is promoted or appointed to a supervisory, middle management, or assistant department head position shall satisfactorily complete a probationary period of not less than 6 months.
- (c) If the laws or charter provisions of a jurisdiction specify a probationary period of less than 12 months, paragraph (a) above shall not become effective in that jurisdiction before the legislative body or electorate has elected to conform with paragraph (a).

1005. MINIMUM STANDARDS FOR TRAINING

(a) Basic Course (Required)

- ~~(1)~~ (2) Requirements for the Basic Course are set forth in ~~Specification-3-entitled,~~ PAM, Section _____, "The Basic Course."
- ~~(2)~~ (1) Each and every trainee must satisfactorily complete the ~~prescribed~~ *certified* Basic Course within 12 months from the date of his appointment as a regularly employed officer.
- (3) Reimbursement may be paid to jurisdictions which terminate a trainee or allow a trainee to resign prior to completion of the Basic Course provided the requirements of Section 1002 (a) (1) through ~~(7)~~ (6) have been completed prior to the date the course commences.

1005. MINIMUM STANDARDS FOR TRAINING (Continued)

(b) Supervisory Course (Required)

- ~~(1)~~ (3) Requirements for the Supervisory Course are set forth in ~~Specification-4-entitled, PAM,~~ Section , "The Supervisory Course."
- ~~(2)~~ (1) Each and every officer promoted, appointed or transferred to a first-level supervisory position shall have satisfactorily completed the ~~prescribed~~ *certified* Supervisory Course before or within ~~18~~ 12 months after his initial promotion, appointment or transfer to such position. This section applies to officers promoted or transferred to a first-level supervisory position within a department, and to officers employed from outside a department and appointed to a first-level supervisory position without having completed the ~~prescribed~~ *certified* Supervisory Course.
- ~~(3)~~ (2) Reimbursement may be granted only for officers who have been awarded or are eligible for the award of the Basic Certificate.
- ~~(4)~~ When a department requires an officer to complete the prescribed Supervisory Course prior to his promotion, appointment, or transfer to the first-level supervisory position, that jurisdiction is not eligible for reimbursement until the officer is in fact promoted, appointed, or transferred to such a position within that department unless prior approval is obtained from the Commission.

(c) Middle Management Course (Required)

- ~~(1)~~ ~~After July-1, 1971, each~~ Each and every officer promoted, appointed or transferred to a middle management position shall have satisfactorily completed the ~~prescribed~~ *certified* Middle Management Course ~~before or~~ within 12 months after his initial promotion, appointment or transfer. This section applies to officers promoted or transferred to a middle management position within a department and to officers employed from outside a department and appointed to a middle management position without having completed the ~~prescribed~~ course.

1005. MINIMUM STANDARDS FOR TRAINING (Continued)

~~(2) The course is designed for officers newly promoted from the first-level supervisory position, as defined in Section 1001 (f). However, the course is available to all other ranks above the first-level supervisor at the discretion of the department head, and reimbursement may be granted upon satisfactory completion of the course. The requirements for the Middle Management Course are set forth in Specification 5 entitled, "The Middle Management Course."~~

(2) Officers occupying supervisory positions or above may attend the Middle Management Course and their jurisdictions be reimbursed provided the officers have satisfactorily completed the certified Supervisory Course, unless waived by the Commission.

~~(3) When a department requires an officer to complete the Middle Management Course prior to his promotion, appointment or transfer to a middle management position, that jurisdiction shall not become eligible for reimbursement until the officer is in fact promoted, appointed, or transferred to such a position within that department unless prior approval is obtained from the Commission.~~

(3) Requirements for the Middle Management Course are set forth in PAM, Section _____, "The Middle Management Course."

(d) Advanced Officer Course (Required)

(1) After July 1, 1971, each and every officer below the rank of first-level supervisory position as defined in Section 1001 ~~(f)~~ (i) shall satisfactorily complete an approved *the certified* Advanced Officer Course of 20 or more hours at least once every four years after completion of the Basic Course. ~~The requirements for the Advanced Officer Course are set forth in Specification 7, "The Advanced Officer Course."~~

(2) The above requirement may be met by satisfactory completion of *any* reimbursable P.O.S.T.-certified courses of 20 or more hours.

(3) Reimbursement for the Advanced Officer Course is provided as set forth in Specification 11, PAM, Section _____, "Reimbursement Schedule." paragraph A.3.e.

1005. MINIMUM STANDARDS FOR TRAINING (Continued)

- (4) Requirements for the Advanced Officer Course are set forth in PAM, Section ____, "The Advanced Officer Course."

(e) Executive Development Course (Optional)

~~Executive Development Courses are optional and are restricted to department heads and assistant department heads unless prior approval for reimbursement of other ranks is granted by the Commission. The requirements are set forth in Specification 6 entitled, "Executive Development Courses."~~

- (1) The Executive Development Course is designed for department heads. Officers occupying middle management positions or above may attend and their jurisdictions may be reimbursed provided the officers have satisfactorily completed the certified Middle Management Course. The Executive Development Course is optional.
- (2) Requirements for the Executive Development Course are set forth in PAM, Section ____, "Executive Development Course."

(f) Technical and Special Courses (Optional)

~~Technical and Special Courses are described in Specification 8 and are optional.~~

- (1) Technical Courses are designed to develop skills and knowledge in subjects requiring special expertise. The courses are optional.
- (2) Requirements for Technical Courses are set forth in PAM, Section ____, "Technical Courses."

(g) Special Courses (Legislatively Mandated)

- (1) Special Courses are mandated by the Legislature.
- (2) Requirements for Special Courses are set forth in PAM, Section ____, "Special Courses."

(g) (h) Seminars (Optional)

~~Seminars are described in Specification 13. They are optional and are designed to study and solve current~~

1005. MINIMUM STANDARDS FOR TRAINING (Continued)

~~and future problems encountered by law enforcement personnel and their agencies. Attendance at seminars may be repeated periodically as approved by the Commission. No seminar shall be certified that is of less than 18 hours duration.~~

(1) Seminars are designed to study and solve current and future problems encountered by law enforcement agencies. Enrollment is open to any rank. Seminars are optional.

(2) Requirements for Seminars are set forth in PAM, Section _____, "Seminars."

(i) Field Management Training (Optional)

(1) Field Management Training is designed to assist in the solution of specific management problems within individual agencies. The training is optional.

(2) Participation requirements and procedures for Field Management Training are set forth in PAM, Section _____, "Field Management Training."

1006. EXTENSION OF TIME LIMIT FOR COURSE COMPLETION

The Commission may grant an extension of a time limit for completion of any course required by Section 1005 of the Regulations upon presentation of evidence by a department that an officer is unable to complete the required course within the time limit prescribed because of illness, injury, military service, or special duty assignment required and made in the public interest of the concerned jurisdiction.

~~1007.~~ EXAMINATIONS

~~Written examinations shall be required of each officer in each course certified by the Commission.~~

1008. WAIVER FOR EQUIVALENT TRAINING

The Commission may waive the requirement for the completion of any course required by Section 1005 of the Regulations upon presentation of documentary evidence by a department that an officer has satisfactorily completed equivalent training.

1009. ~~PRIORITY-FOR-REIMBURSEMENT~~

~~Reimbursement-for-courses-shall-be-paid-in-the-following-priorities,-depending-upon-funds-available-~~

- ~~(1)~~ Basic-and-Supervisory-Courses
- ~~(2)~~ Advanced-Officer-and-Middle-Management-Courses
- ~~(3)~~ Executive-Development-Courses
- ~~(4)~~ Technical-and-Special-Courses
- ~~(5)~~ Seminars

1010. ELIGIBILITY FOR REIMBURSEMENT

- (a) To be eligible for reimbursement, a jurisdiction must adhere to the minimum standards as defined in these Regulations for each and every officer employed. A jurisdiction shall be ineligible to receive reimbursement for any training if it:
 - (1) Employs one or more officers who do not meet the minimum standards for employment, OR
 - (2) Does not require that each and every officer satisfactorily complete the required training as prescribed in these Regulations, OR
 - (3) Has in its employ any officer hired after January 1, 1971, who has not acquired a ~~the~~ P.O.S.T. Basic Certificate within six months after date of completion of his probationary period, OR
 - (4) *Fails to permit the Commission to make such inquiries and inspection of records as may be necessary to determine whether the jurisdiction is, in fact, adhering to the Commission's Regulations.*
- (b) If, in the judgment of the Commission, a jurisdiction has failed to adhere to the minimum standards for recruitment and training, the Commission shall notify the jurisdiction of said judgment and of its probable ineligibility for reimbursement. The Commission shall also request compliance. In the event that the jurisdiction fails to comply, the Commission may afford the concerned jurisdiction's official representatives the opportunity to appear before it and present whatever arguments the jurisdiction may deem appropriate in support of the claim. If the Commission finds that the standards have not been adhered to, it must reject

1010. ELIGIBILITY FOR REIMBURSEMENT (Continued)

all claims for reimbursement. A jurisdiction may be reinstated in the program and again become eligible for reimbursement when, in the opinion of the Commission, it has demonstrated that it intends to adhere to the prescribed standards. The period during which the jurisdiction shall remain ineligible for reimbursement shall be at the discretion of the Commission.

1011. CERTIFICATES AND AWARDS

- (a) Certificates and awards may be presented by the Commission for the purpose of raising the level of competence of law enforcement and to foster cooperation among the Commission, agencies, groups, organizations, jurisdictions and individuals.
- (b) Certificates and awards remain the property of the Commission and the Commission shall have the power to cancel or recall any certificate or award ~~upon due cause as determined by the Commission~~ *issued: in error; through fraudulent application; when the recipient is convicted of a felony; or other due cause as determined by the Commission.*
- (c) Basic, Intermediate, Advanced, Management and Executive Certificates are established for the purpose of fostering professionalization, education and experience necessary to ~~perform~~ *adequately accomplish* the general police service duties ~~accomplished performed~~ by peace officer members of city police departments, county sheriff ~~offices~~, *departments*, districts, or by the California Highway Patrol. Requirements for the Certificates are as prescribed in ~~Specification-9-entitled PAM, Section~~ *"Police Certification-Program."* *"Professional Certificate Program."*
- (d) Specialized Law Enforcement Certificates are established for the purpose of fostering professionalization, education and experience necessary to perform adequately the duties of specialized public law enforcement services such as those performed by special investigators, campus police, police officers of the California State Police Division, marshals, ~~and constables~~, and such others as may be deemed appropriate by the Commission. Requirements for Specialized Law Enforcement Certificates are set forth in ~~Specification-12, PAM, Section~~ *"Specialized Law Enforcement Certification Program."*

1012. CERTIFICATION OF SCHOOLS COURSES

- ~~(a) The Commission shall certify those schools deemed adequate to effectively teach one or more of the prescribed courses. The identity of each school so certified shall be periodically published and distributed by the Commission.~~
- (a) The Commission may certify courses. Criteria for certification include, but are not limited to: a demonstrated need and compliance with minimum standards for curriculum, facilities, instructors and instructional quality.
- ~~(b) Certification may be revoked by action of the Commission whenever a school is deemed inadequate or no longer presents certified courses. In such event, the sponsoring agency of said school and the head of each department whose trainees participate in the school shall be notified by the Commission. The school may be recertified by the Commission when it deems the deficiencies have been corrected.~~
- (b) Certification of courses may be revoked by action of the Commission when:
- (1) there is no longer a demonstrated need for the course;
 - (2) there is failure to comply with standards set forth in (a) above; OR,
 - (3) there are other causes as determined by the Commission.

1013. CODE OF ETHICS

The Law Enforcement Code of Ethics, as prescribed in ~~Specification 10~~ entitled PAM, Section _____, "The Law Enforcement Code of Ethics," shall be administered as an oath to all trainees during the Basic Course.

1014. TRAINING FOR NON-SWORN PERSONNEL

- (a) Non-sworn personnel performing police tasks are described in PAM, Section _____.
- ~~(a)~~ (b) Reimbursement shall be provided for the training of non-sworn personnel performing police tasks as determined by the Commission. ~~Non-sworn personnel are defined in Section 1001-(g).~~
- ~~(b)~~ Positions-Eligible

1014. TRAINING FOR NON-SWORN PERSONNEL (Continued)

~~Job-descriptions-shall-determine-these-positions
eligible--Examples-are-~~

- ~~1- Complaint-Dispatcher~~
- ~~2- Criminalist~~
- ~~3- Community-Service-Officer~~
- ~~4- Fingerprint-Technician~~
- ~~5- Jailer-and-Matron~~
- ~~6- Traffic-Direction-and-Control-Officer~~
- ~~7- Parking-Control-Officer~~
- ~~8- Polygraph-Examiner~~
- ~~9- Administrative-Positions~~

(c) Request for Approval

- (1) In every case it is necessary for the employing agency *jurisdiction* to obtain prior approval of the Commission on an individual basis. A request for approval must include:

- 1- (a) The trainee's name and title.
- 2- (b) Job description.
- 3- (c) Course title, location and dates.

- (2) Request for approval must reach the Commission 30 days prior to the starting date of the course.

(d) Reimbursement

Reimbursement for non-sworn personnel will be computed in the same manner as sworn personnel according to the reimbursement schedule for each course as set forth in ~~Specification-ii~~, PAM, Section _____, "Reimbursement Schedule."

1015. REIMBURSEMENTS

(a) Proportionate Reimbursement

Reimbursements to cities, counties, and districts shall be granted by the Commission in accordance with Section 13523 Penal Code, which is quoted as follows:

1015. REIMBURSEMENTS (Continued)

"The Commission shall annually allocate and the State Treasurer shall periodically pay from the Peace Officers' Training Fund, at intervals specified by the Commission, to each city, county, and district which has applied and qualified for aid pursuant to the chapter, an amount determined by the Commission pursuant to standards set forth in its regulations. The Commission shall grant aid only on a basis that is equally proportionate among cities, counties, and districts.

"In no event shall any allocation be made to any city, county, or district which is not adhering to the standards established by the Commission as applicable to such city, county, or district."

(b) Claim for Reimbursement

Claims must be forwarded on forms provided by the Commission no later than fourteen days after the completion of a certified course.

(c) Trainees May Be Claimed Only Once

~~An officer who has successfully completed a course certified by the Commission and for whom reimbursement has been legally claimed or paid may not again be claimed for reimbursement for repetition of the same course regardless of transfer or re-employment by another department, unless the course is authorized to be repeated periodically, such as Seminars or Advanced Officer Courses.~~

When a trainee has attended a course certified by the Commission for which reimbursement has been legally claimed or paid, an employing jurisdiction may not submit a claim for reimbursement for repetition of the same course unless the course is authorized to be repeated periodically, such as Seminars or Advanced Officer Courses. Exceptions may be authorized by the Commission.

(d) Reimbursement Limited to Actual Expenses

Reimbursement is limited to actual expenses or any portion thereof actually incurred by a jurisdiction

1015. REIMBURSEMENTS (Continued)

and approved by the Commission. Reimbursement for salary may be provided *only* for training acquired in an on-duty status. ~~or when compensation in lieu of salary is provided through overtime pay, compensatory time off, education and training or career development incentive pay, or other programs approved by the Commission.~~

- (e) A schedule setting forth reimbursements allowed for each course or program certified by the Commission is set forth in ~~Specification 11~~ entitled PAM, Section , "Reimbursement Schedule."

1016. SERVICES PROVIDED BY THE COMMISSION

- (a) In accordance with Section 13513 Penal Code, upon the request of a local jurisdiction, the Commission shall provide a counseling service to such local jurisdictions for the purpose of improving the administration, management, or operations of a police agency, and may aid such jurisdiction in implementing improved practices and techniques in accordance with Commission policy and guidelines for the counseling service.
- (b) In accordance with Section 13503(e) Penal Code, the Commission may develop and implement programs to increase the effectiveness of law enforcement, and when such programs involve training and education courses to cooperate with and secure the cooperation of state-level officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs.
- (c) The Commission may periodically publish or recommend that other governmental agencies publish curricula, manuals, lesson plans and other material to aid local departments in achieving the objectives of the Act.